



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JUL 26 2018

REPLY TO THE ATTENTION OF

WC-15J

CERTIFIED MAIL and ELECTRONIC MAIL 7017 3380 0000 7283 5336
RETURN RECEIPT REQUESTED

Mr. Daniel F. Vicari
Executive Director
Gary Sanitary District
3600 West 3rd Avenue
Gary, Indiana 46402
dan@garysan.com

Subject: USEPA and IDEM's comments on Gary Sanitary District's (GSD) Combined Sewer Overflow Operational Plan (CSOOP); *U.S. and Indiana v. the City of Gary, IN and Gary Sanitary District*, Case 2:16-cv-00512-PPS

Dear Mr. Vicari:

Enclosed is U.S. Environmental Protection Agency's and Indiana Department of Environmental Management's (IDEM's) response and comments to Gary Sanitary District's (GSD) Combined Sewer Overflow Operational Plan (CSOOP) which GSD submitted to EPA and IDEM (Agencies) on May 18, 2018 pursuant to Paragraph 15 and Appendix 1 of the Consent Decree. Pursuant to Paragraph 103 of the CD, Gary Sanitary District should submit a response to the Agencies' comments within 30 days of receipt of this letter.

If you have any questions or concerns regarding this letter, contact John Jurevis of my staff at (312) 886-1446.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick F. Kuefler", is written over a horizontal line.

Patrick F Kuefler, Chief
Water Enforcement and Compliance Assurance
Branch

Enclosure

cc: Mayor Karen Freeman-Wilson, City of Gary (via email)
Jewell Harris, Jr., Harris Law Firm, P.C. (via email)
Nigel Cooney, U.S. Department of Justice (via email)

EPA and IDEM have developed the following response to GSD's CSOOP.

EPA and IDEM Comments on GSD's May 2018 Combined Sewer Overflow Operational Plan (dated May 18, 2018)

General Comments and Questions

1. The CSOOP is a dynamic document, especially throughout the LTCP development process, requiring annual changes to be submitted to the Agencies by January 31 pursuant to Paragraph 15 of the Consent Decree (CD). GSD's NPDES permit also details the updates required over time to the CSOOP. The Agencies would like to ensure GSD is aware of the requirements for updating the CSOOP under the CD as well as GSD's NPDES permit.
2. On February 7, 2018, the Public Notification Rule for CSO discharges to the Great Lakes became final. IDEM has reached out to all CSO communities in Indiana where this rule is applicable. The Agencies would like GSD's CSOOP to recognize the new rule, and have a commitment to incorporate their updated (Great Lakes Initiative compliant) Public Notice Plan once developed. Guidance for the new rule is available on IDEM's website. Per the rule, GSD must submit their Public Notice Plan to IDEM by August 7, 2018 and it must be implemented by November 7, 2018.

Comments and Questions Specific to Portions of GSD's CSOOP

1. Comment Regarding Table 2-1

In the table of Industrial Users (IU), GSD indicates whether each IU is significant, but does not include the category or federal regulation for those that are categorical IUs (CIUs)

2. Comment Regarding Section 2.1.4

GSD should indicate the type of sewer system (combined or separate) in each satellite community

3. Comment Regarding Section 2.2.3

GSD should provide more detailed information regarding its sewer inspection activities to date. In particular, how many feet of sewer have been CCTV inspected?

4. Comment Regarding Table 2-3

GSD should identify the GPS coordinates for each pump station and also the discharge disposition of each pump (e.g. to a particular force main, CSO Outfall, storm water outfall, etc.)

5. Comment Regarding Table 2-4

GSD should include information pertaining to the regulators as specified in Appendix I to the CD, Section I.B.2.d. and also identify the tributary IUs to each of the CSO Outfalls

6. Comment Regarding Figure 2-2

GSD should update the map to include pump stations (indicating whether the particular pump station services the Sanitary, Combined, or Storm water systems), clear locations where the satellites join the Collection system, and precise delineation of combined and separate portions of the Collection system.

7. Comment Regarding Section 2.5

It should be noted that a river flow of 182 CFS is approximately 117 MGD, not 2.1 MGD.

8. Comment Regarding Figure 3-1 and Section 3.1.2

GSD should provide more information about how each of the positions in Section 3.1.2 fits into the GSD Organizational Structure shown in Figure 3-1.

9. Comment Regarding Section 3.7

GSD should place higher emphasis in this section on 'Record-keeping practices and reporting procedures that document CSO monitoring and control' as specified in Appendix I to the CD, Section I.C.3. Specifically, greater detail regarding information collection and data management processes and tools should be provided.

10. Comment Regarding Section 4

What is the total number of manholes and catch basins in the GSD system? This information would allow a better gauging of the progress that GSD is making in its manhole inspection and catch basin cleaning programs, including what percentage of the total are cleaned and/or inspected each year.

11. Comment Regarding Section 4.7.1

GSD references an inspection program in Section 4.1; however, no detail is given as to the frequency each catch basin is inspected or how that data is managed and used to schedule 'as necessary' cleaning activities.

12. Comment Regarding Section 4.7.2

GSD mentions a 10 year cycle for manhole inspection and a 3 year cycle for manhole 'flow checks'. Please provide more information regarding how each of these procedures is carried out (e.g. is it with a specific protocol such as NASSCO's MACP)

13. Comment Regarding Section 4.8.3

GSD states that it is 'currently developing' a CCTV program to replace its 'as needed' current CCTV practice. As such, the CSOOP does not contain a schedule for sewer televising/inspection. The Agencies request more information on this program and how it will prioritize inspection activities based on known problem areas, sewer age, and material of construction.

14. Comment Regarding Section 5.4

GSD indicates that it does not use a weather station to monitor weather. It is suggested that GSD use NOAA's free online weather tracking tools to increase its awareness of impending precipitation.

15. Comment Regarding Section 5.5.5

More information should be provided regarding GSD's CSO structure inspection and maintenance practices and the frequencies of those activities.

16. Comment Regarding Section 5.5.6

More information should be provided detailing how the CSO control structures were designed to enhance floatables removal

17. Comment Regarding Section 5.5.8.1

GSD provides an example of a sign at CSO Outfalls. The Agencies believe the individual Outfall numbers should be added to each sign.

18. Comment Regarding Section 6

The Agencies appreciate the discussion of measures that have been taken by GSD to control CSOs and maintain the WWTP and collection system. However, there is no mention in this section of future activities that GSD intends to take.

19. Comment Regarding Section 6.3

Additional details of the sewer lining projects and any other I/I reduction activities is requested.